



OFFICE OF THE MAYOR
ANTONIO R. VILLARAIGOSA

April 13, 2009

Broadband Technology Opportunities Program
U.S. Department of Commerce
1401 Constitution Avenue, N.W., Room 4812
Washington, DC 20230

Re: Proposed BTOP Regulations

On behalf of Los Angeles Mayor Antonio R. Villaraigosa, we support the comments of the various national organizations of local government (Conference of Mayors, NATOA, National League of Cities, NACo, TeleCommUnity et al) and file these supplemental comments to highlight what we believe to be vitally important considerations for the NTIA Broadband Technology Opportunities Program.

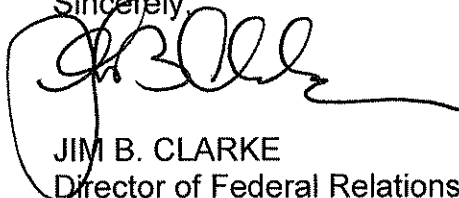
- The statute should broaden the availability of funding for public libraries, computer labs or programs to encourage adoption and use of broadband technologies to areas that are unserved or underserved. These programs are vitally needed in urban America where the "take rate" for broadband services is lowest. Congress understood this fact and made the grants available free and clear of any level of service requirement.
- NTIA should establish as a priority increasing broadband adoption in population centers, with distinct tracking for connections for low-income and other historically low technology adopting residents, non-profits and disadvantaged businesses.
- Broadband that is unaffordable is unavailable. Therefore, the pricing of broadband services must be a vitally important consideration in not only judging grants, but in defining what is an unserved and underserved area.
- NTIA should define an "underserved area" to be an area lacking sufficient access to affordable high speed broadband services needed to facilitate economic development.
- NTIA should not surrender to the states the authority to prioritize BTOP grants and projects.
- NTIA should remain technologically neutral in its evaluation of grant applications and have as its goal promoting affordable access to the greatest number of Americans that the stimulus dollars may achieve, and

Broadband Technologies Opportunity Program
April 13, 2009
Page 2

- NTIA must rigorously define the "public interest" test a private enterprise must pass in order to be eligible for stimulus funds. Limiting funds to only public-private partnerships as a means to meet the "public interest" test would not be too strong a standard.

The City of Los Angeles looks forward to working with NTIA, RUS and the FCC to jump start America's connection to affordable broadband.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim B. Clarke", with a long horizontal flourish extending to the right.

JIM B. CLARKE
Director of Federal Relations
Office of Mayor Antonio R. Villaraigosa

JBC:jc

Copy: Gerald Lavery Lederer, Miller & Van Eaton, PLLC